

Kevin B. Collins (admitted *pro hac vice*)  
 Jeffrey M. Davidson (SBN 248620)  
 Winslow B. Taub (SBN 233456)  
 Deanna L. Kwong (SBN 233480)  
**COVINGTON & BURLING LLP**  
 One Front Street, 35th Floor  
 San Francisco California 94111-5356  
 Telephone: (415) 591-6000  
 Facsimile: (415) 591-6091  
 Email: [kcollins@cov.com](mailto:kcollins@cov.com)  
       [jdavidson@cov.com](mailto:jdavidson@cov.com)  
       [wtaub@cov.com](mailto:wtaub@cov.com)  
       [dkwong@cov.com](mailto:dkwong@cov.com)

Attorneys for MYSPACE, INC., and  
FOX AUDIENCE NETWORK, INC.

[additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

MYSPACE, INC.,

Plaintiff,

VS.

GRAPHON CORPORATION,

Defendant.

CRAIGSLIST, INC.,

Plaintiff,

VS.

GRAPHON CORPORATION,

Defendant.

**Case No. C 10-00604 EDL**

**Case No. C 10-01156 EDL**

## Consolidated Actions

# JOINT ~~[PROPOSED]~~ PRETRIAL DEADLINES FOR INEQUITABLE CONDUCT HEARING AS MODIFIED

In accordance with the Court's Order dated August 6, 2010 (Document No. 71), and the Court's instructions during the telephonic status conference held September 23, 2010, Plaintiffs MySpace, Inc. and craigslist Inc., Third-Party Defendant Fox Audience Network, Inc., and Defendant GraphOn Corporation hereby submit the following revised proposed deadlines

JOINT [PROPOSED] PRETRIAL DEADLINES  
CASE NO. C 10-00604 EDL  
CASE NO. C 10-01156 EDL

concerning the hearing on inequitable conduct. These deadlines are consistent with the Court's standing order relating to bench trials.

Completion of Fact Discovery	12/17/2010
Designation of Expert Witness; Expert Reports Due	1/7/2011
Rebuttal Expert Witness Reports Due	1/28/2011
Completion of Expert Discovery	2/11/2011
Parties to Meet and Confer Regarding Pretrial Conference Statement	2/4/2011
Pretrial Conference Statement / Trial Brief / Motions in Limine	2/15/2011
Objections to Exhibits / Objections to Non-Expert Witnesses / Oppositions to Motions in Limine	2/25/2011 at noon
Pretrial Conference	<del>3/7/2011</del> 3/8/2011
Inequitable Conduct Hearing	3/14/2011
Simultaneous Filing of Findings of Fact / Conclusion of Law	4/13/2011
Simultaneous Filing of Responses to Findings of Fact / Conclusion of Law	5/3/2011

As discussed at the telephonic status conference, the Court indicated that it will set the length of the hearing at the pretrial conference.

1 DATED: October 18, 2010

Respectfully submitted,

2 COVINGTON & BURLING LLP

3  
4 By: /s/ Kevin B. Collins  
Kevin B. Collins (*pro hac vice*)  
Jeffrey M. Davidson (SBN 248620)  
Winslow B. Taub (SBN 233456)

6 ATTORNEYS FOR MYSPACE, INC., AND  
7 FOX AUDIENCE NETWORK, INC.

8 DATED: October 18, 2010

Respectfully submitted,

9 PERKINS COIE LLP

10  
11 By: /s/ Christopher Kao  
Christopher Kao (SBN 237716)  
CKao@perkinscoie.com  
12 Brian Hennessy (SBN 226721)  
BHennessy@perkinscoie.com

13  
14 ATTORNEYS FOR PLAINTIFF  
CRAIGSLIST, INC.

15  
16 DATED: October 18, 2010

Respectfully submitted,

17 WATSON ROUNDS

18  
19 By: /s/ Michael Rounds  
Michael D. Rounds (SBN 1339972)  
Melissa P. Barnard (*Pro Hac Vice*)  
Adam K. Yowell (*Pro Hac Vice*)  
One Market-Steuart Tower Suite 1600  
San Francisco, CA 94105  
20 Email: mrounds@watsonrounds.com  
21 Email: mbarnard@watsonrounds.com  
22 Email: ayowell@watsonrounds.com

23  
24 ATTORNEYS FOR DEFENDANT GRAPHON  
25 CORPORATION

**SIGNATURE ATTESTATION**

I am the ECF User whose identification and password are being used to file the foregoing Joint [Proposed] Pretrial Deadlines. In compliance with General Order 45.X.B., I hereby attest that the other signatories to the filing have concurred in this filing.

Dated: October 18, 2010

Respectfully submitted,

COVINGTON & BURLING LLP

By: /s/ Jeffrey M. Davidson

Jeffrey M. Davidson

Attorney for MySpace, Inc. and Fox  
Audience Network, Inc.

~~[PROPOSED]~~ ORDER

THE PARTIES IN THIS ACTION SHALL FOLLOW THE PRETRIAL DEADLINES  
LISTED ABOVE. AS MODIFIED

IT IS SO ORDERED.

DATED: October 19, 2010

  
ELIZABETH D. LAPORTE  
United States Magistrate Judge